

9/07/04

IFW



CASE 4-33515P1

FILING BY "EXPRESS MAIL" UNDER 37 CFR 1.10

EV 540157022 US  
Express Mail Label Number

September 3, 2004  
Date of Deposit

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF

Art Unit: 1615

PATEL ET AL.

APPLICATION NO: 10/743,367

FILED: DECEMBER 22, 2003

FOR: EXTENDED RELEASE ANTIBIOTIC COMPOSITION

**MS: Amendment**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants believe this paper is being filed before the mailing date of a first Office Action on the merits, and so under 37 C.F.R. §1.97(b)(3) no fees are required. If a fee is deemed to be required, the Commissioner is hereby authorized to charge such fee to Deposit Account No. 19-0134.

In accordance with 37 C.F.R. §1.56, applicants wish to call the Examiner's attention to the references cited on the attached form(s) PTO-1449.

Copies of these references are enclosed herewith.



## INFORMATION DISCLOSURE CITATION

(See several sheets if necessary)

 ATTY. DOCKET NO.  
4-33515P1  
APPLICATION NO.  
10/743,367  
APPLICANT  
PATEL ET AL.  
FILING DATE  
DECEMBER 22, 2003

Group

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	AA	3,034,897	05/15/62	Kuhrt et al.	99	91	12/09/60
	AB	3,034,898	05/15/62	Kuhrt et al.	99	91	12/09/60
	AC	3,673,106	06/27/72	Jonas et al.	252	356	06/18/69
	AD	4,315,041	02/09/82	Fukuda et al.	426	653	12/28/79
	AE	4,327,077	04/27/82	Puglia et al.	424	38	05/29/81
	AF	4,389,393	06/21/83	Schor et al.	424	19	03/26/82
	AG	4,474,768	10/02/84	Bright	424	180	11/15/82
	AH	4,517,359	05/14/85	Kobrehel et al.	536	7.4	09/22/81
	AI	4,808,411	02/28/89	Lu et al.	424	441	06/05/87
	AJ	4,842,866	06/27/89	Horder et al.	424	468	12/14/87
	AK	4,865,851	09/12/89	James et al.	424	498	05/13/88
	AL	5,286,489	02/15/94	Tsau et al.	424	440	03/16/93
	AM	5,609,909	03/11/97	Meyer et al.	427	2.14	04/13/95

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AN	0 101 418	02/22/84	Europe			<input type="checkbox"/>	<input type="checkbox"/>
	AO	0 630 233 B1	12/28/94	Europe			<input type="checkbox"/>	<input type="checkbox"/>
	AP	WO 93/17667	09/16/93	WIPO [equiv. of EP 0630233B1]			<input type="checkbox"/>	<input type="checkbox"/>
	AQ	WO 00/69415	11/23/00	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
	AR	WO 02/17885	03/07/02	WIPO			<input type="checkbox"/>	<input type="checkbox"/>

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

	AS	
	AT	
	AU	

EXAMINER /Paul Ward/ (08/10/2010) DATE CONSIDERED

\*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.

## INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

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## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	BA 5,707,646	01/13/98	Yajima et al.	424	439	03/10/93
	BB 5,919,489	07/06/99	Saleki-Gerhardt et al.	424	501	10/09/96
	BC 5,972,373	10/26/99	Yajima et al.	424	439	04/30/96
	BD 6,010,718	01/04/00	Al-Razzak et al.	424	464	04/11/97
	BE 2002/0012675	01/31/02	Jain et al.	424	400	06/22/99
	BF 6,365,574 B2	04/02/02	Singer et al.	514	29	11/30/99
	BG 2003/0072801	04/17/03	Curatolo et al.	424	465	06/20/02
	BH 6,565,877 B1	05/20/03	Mukherji et al.	424	441	06/05/00
	BI 2003/0162730	08/28/03	Li et al.	514	28	05/21/02
	BJ 2003/0165563	09/04/03	Murphy et al.	424	465	12/20/02
	BK 2003/0190365	10/09/03	Fergione et al.	424	489	12/20/02
	BL 6,632,451 B2	10/14/03	Penhasi et al.	424	464	06/04/99

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	OFFICE	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	BM WO 02/42315	05/30/02	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
	BN WO 03/017981	03/06/03	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
	BO WO 03/082248	10/09/03	WIPO			<input type="checkbox"/>	<input type="checkbox"/>
	BP JP 49081526	06/08/74	Japan [English abstr. only]			<input type="checkbox"/>	<input type="checkbox"/>
	BQ					<input type="checkbox"/>	<input type="checkbox"/>

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent pages, Etc.)

	BR	
	BS	
	BT	

EXAMINER

/Paul Ward/ (08/10/2010)

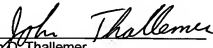
DATE CONSIDERED

\*EXAMINER: Initial of reference considered, whether or not citation is in conformance with MPEP 609: Draw a line through citation if not in conformance and not considered. Include a copy of this form with the next communication to applicant.

The Examiner is requested to consider the foregoing information in relation to this application and indicate that each reference was considered by returning a copy of the initialed PTO 1449 form(s).

Respectfully submitted,

Corporate Intellectual Property  
One Health Plaza, Building 430  
East Hanover, NJ 07936-1080

  
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John D. Thallemer  
Attorney for Applicants  
Reg. No. 34,940  
(862) 778-7945

Date: September 3, 2004